



Rec'd PTO 25 FEB 2002  
PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Kurt BURGER et al

Serial No. 09/890,532

Filed:

Attention:

PCT International Division  
Lamont Hunter

Based on PCT/DE 99/03324

For: Method And Apparatus For  
Sterilizing Vessels Or Articles

RESPONSE TO MISSING REQUIREMENTS UNDER 35 U.S.C. 371

Commissioner for Patents  
Box PCT  
Washington, D.C. 20231

Sir:

In response to the Notice of Missing Requirements Under 35 U.S.C. 371 dated September 4, 2001, please find enclosed:

- 1) Copy of PCT/DO/EO/905 dated September 4, 2001
- 2) Executed Declaration
- 3) Petition for Four-Month Extension of Time
- 4) Fees charged to Deposit Account 07-2100

The Commissioner is hereby authorized to charge payment of any fees associated with this communication to Deposit Account 07-2100.

Respectfully submitted,

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25 February 2002



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NO.

FIRST NAMED APPLICANT

ATTY. DOCKET NO. 35252

09/890532

002115

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5071

INTERNATIONAL APPLICATION NO. 09/03824

I.A. FILING DATE

PRIORITY DATE

10/16/99 02/01/99

09/04/01

DATE MAILED:

## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as  a Designated Office (37 CFR 1.494)  an Elected Office (37 CFR 1.495):

- U.S. Basic National Fee.  Indication of Small Entity Status.  
 Copy of the international application.  Translation of the international application into English. BY ON  
 Oath or Declaration of inventors(s).  Translation of Article 19 amendments into English.  
 Copy of Article 19 amendments.  Other:  
 Priority Document.  BY on ON 9/5/01  
 The International Preliminary Examination Report in English and its Annexes, if any.  CALL UP  
 Translation of Annexes to the International Preliminary Examination Report into English.

DOCKETED

DUE DATE November 4, 2001

2.  Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

- U.S. Basic National Fee.  Copy of the international application.

RECEIVED

SEP 05 2001

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.  
 The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.  
 b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).  
 c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.  
 The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.  
 d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

4. Additional claim fees of \$ \_\_\_\_\_ as a  large entity  small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5.  Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

**ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.

7.  The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

***A copy of this notice MUST be returned with this response.***

Enclosed:  PCT/DO/EO/917  
 PTO-875

Notice of Defective Translation  
 PCT/DO/EO/920

Lamont Hunter, Paralegal

Telephone: 703 305-3686

FORM PCT/DO/EO/905 (March 2001)